

Minutes
Town of Oshkosh

Town Board Meeting – July 13, 2009 - 7:00 p.m.
Meeting held at the Winnebago Highway Department building

PRESENT: Chairman Gerald Frey, Supervisor Carol Kaufmann, Supervisor Jim Erdman, Treasurer Maribeth Gabert, Clerk Jeannette Merten and audience of 8.

Chairman Frey called meeting to order at 7:00 p.m.

MOTION BY ERDMAN, KAUFMANN SECONDED, TO APPROVE MINUTES DATED JUNE 22, 2009 AS PRESENTED. ROLL CALL. MOTION CARRIED.

Public Participation:

None.

Planning and Zoning:

Building Inspector report.

Dave Frank, Town Building Inspector, reported that he did talk to Mr. Velie. Velie agreed to providing a statement of compliance for an occupancy permit. He said the cars are his son's hobby and said that he is not living there.

Certified Survey Map of Robin and Barbara Schrage.

Dawn Sullivan with Martenson and Eisele was in attendance to answer any questions regarding the CSM.

MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO APPROVE THE CERTIFIED SURVEY MAP OF ROBIN AND BARBARA SCHRAGE; Lot on Channel View Drive divided into three of CSM 2974. ROLL CALL. KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.

Certified Survey Map of Daniel Mainwaring.

Ann Stark said that the property is the old Perkins farm, bought in the 60's that is on the highest point on the channel.

MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO APPROVE THE CERTIFIED SURVEY MAP OF DANIEL MAINWARNING; Lot on Channel View Drive divided into three of CSM 310. ROLL CALL. FREY, YES; ERDMAN, YES; KAUFMANN, YES. MOTION CARRIED.

Riders of WI LLC Variance Request.

Winnebago County already approved the variance request. Board is waiting for the confirmation letter from the County.

Grundy Enterprises Conditional Use Permit.

Phil Grundy claims that it is now State law through 2011 that projects such as this don't have to go through local planning & zoning, but they intend on going through the regular process. Chairman Frey read the minutes from the last Town of Oshkosh Planning and Zoning meeting of July 7, 2009.

Chairman Frey checked with Tom Bucholtz with the DOT again and they will video tape the conditions of the roads before any work begins. Any damage done to the roads because of the additional traffic of these projects will be repaired.

Rick Exferd, 4942 Cty Rd T, brought up concerns of safety on the truck routes as in speeding. Exferd commented saying what good is an agreement if it is not enforced. Exferd was the only citizen speaking out about concerns. Chairman Frey said he delivered an agenda notice to every household in the area that would be affected.

MOTION MADE BY KAUFMANN, FREY SECONDED, TO APPROVE THE CONDITIONAL USE PERMIT WITH RESOLUTION AS RECOMMENDED BY THE TOWN OF OSHKOSH PLANNING & ZONING COMMISSION DECIDED ON JULY 7, 2009. ROLL CALL. KAUFMANN, YES; FREY, YES; ERDMAN, NO. MOTION CARRIED.

Rusch/Gabert Conditional Use Permit.

Bob Fales with James Peterson & Sons Construction was part of the discussion.

MOTION MADE BY ERDMAN, SECONDED KAUFMANN, TO APPROVE THE RUSCH/GABERT CONDITION USE PERMIT WITH RESOLUTION RECOMMENDED BY HE TOWN OF OSHKOSH PLANNING & ZONING COMMISSION TO ALSO INCLUDE:

Adding to a previous written Resolution drafted by attorney John St. Peter the paragraph to read:

The conditional use permit will be valid through Dec 31, 2010. Material may either come from east of Hwy 41 or west of Hwy 41 borrow sites in 2009. Material taken off site in 2010 could either be used on Snell Road project or be used on other Hwy 41 corridor projects south of Snell Road. Haul routes would be routed south of the east sites and east of Hwy 41.

**ROLL CALL. KAUFMANN, YES; FREY, YES; ERDMAN, YES.
MOTION CARRIED.**

Resolution Requesting Special Conditions for Conditional Use to James Peterson & Sons.

It was concluded that both this agenda item and the Gabert/Rusch Conditional Use request are one in the same.

Peterson would also like a decision on haul routes. Board requested to have the haul routes decided at the next meeting.

Unfinished Business:

None.

New Business:

Contribution to City of Oshkosh Snell Road project.

Dave Patak reported to Chairman Frey that the City did receive approval for the project and are moving ahead with the plans.

MOTION MADE BY KAUFMANN, FREY SECONDED, TO MAKE A CONTRIBUTION TO THE CITY OF OSHKOSH TOWARDS THE SNELL ROAD PROJECT PAYABLE UPON THE COMPLETION OF THE PROJECT IN THE AMOUNT OF \$20,000. ROLL CALL. FREY, YES; ERDMAN, YES; KAUFMANN, YES. MOTION CARRIED.

Petition of the Tuchscherer Annexation.

MOTION MADE BY KAUFMANN, ERDMAN SECONDED, TO SEND ATTORNEY JOHN ST. PETER FOR A LEGAL OPINION TO THE BOARD. ROLL CALL. ERDMAN, YES; KAUFMANN, YES; FREY, YES. MOTION CARRIED.

Forthcoming Events of public interest:

Erdman reported on re-write of County Zoning meeting. He also reported on the NR115 public hearing about shoreland zoning that he spoke at. Erdman would like to see an article in a town newsletter about an update on shoreland zoning. A WTA meeting is coming up in town of Poygen.

Correspondence:

1. Winnebago Co Emergency Management; Mitigation Grant Funding available.
2. DOT; Hwy41 Project information.
3. WI Dept of Commerce; Statement of Fire Dues payment.
4. Commissioner of Railroad; Vinland Rd crossing.
5. Winnebago County Farm Bureau picnic; Tn/Clayton July 19.
6. Winnebago Area Special Populations Group information.

**MOTION TO PAY BILLS AS PRESENTED BY KAUFMANN, ERDMAN
SECONDED. MOTION CARRIED.**

**MOTION MADE BY KAUFMANN, SECONDED BY ERDMAN, TO
ADJOURN. MOTION CARRIED.**

Meeting adjourned at 9:08 p.m.

X

Jeannette Merten
Town of Oshkosh Clerk